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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff,

v.

REGINA SURGENT and JOHN DOES 1-18, 20,
21, 23 and 25-46,

Defendants.

Civil Action No. 2:12-cv-03905-SRC-CLW

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF JOHN DOE 1**

PLEASE TAKE NOTICE, Plaintiff hereby voluntary dismisses John Doe 1 (“Defendant”) from this action without prejudice. Defendant was assigned the IP address 173.15.143.65. For the avoidance of doubt, Plaintiff is not voluntarily dismissing any other Defendant. Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) Defendant has neither answered Plaintiff’s Complaint nor filed a motion for summary judgment.

Consistent herewith Plaintiff consents to the Court having its case closed for administrative purposes.

Dated: May 17, 2013

Respectfully submitted,

By: /s/ Patrick J. Cerillo
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 2013, a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF and on all of those parties receiving electronic notification via the Court's CM/ECF electronic filing.

By: /s/ Patrick J. Cerillo
Patrick J. Cerillo, Esq.